UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:23-cv-00275-RJC

OCTAVIOUS EDWARD ELMORE,)
Plaintiff,)
vs.)) ORDER
MECKLENBURG COUNTY SHERIFFS DEPT., et al.,)
Defendants.)))

THIS MATTER is before the Court on review of the docket in this matter.

Pro se Plaintiff Octavious Edward Elmore ("Plaintiff") filed this action on May 9, 2023, against Defendants Mecklenburg County Sheriff's Department and Gary McFadden pursuant to 42 U.S.C. § 1983. [Doc. 1]. The Court conducted initial review of Plaintiff's Complaint pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A. [Doc. 10]. The Court found that Plaintiff failed to state a claim upon which relief can be granted and allowed Plaintiff thirty (30) days from June 27, 2023, to amend his Complaint in accordance with the terms of the Court's Order. [Id.]. The Court advised Plaintiff that if he failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice to Plaintiff. [Id. at 8].

More than 30 days have passed, and Plaintiff has not filed an amended complaint. The Court will, therefore, dismiss this action without prejudice.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's Complaint [Doc. 1] is dismissed without prejudice.

The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: August 11, 2023

Robert J. Conrad, Jr.

United States District Judge